

WIT (16)
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YVETTE CRUZ

Plaintiff

v.

JOHN J. ASTRUE
Commissioner of Social Security

Defendant

CIVIL ACTION

NO. 06-4644

FILED

SEP 11 2007

RICHARD J. KUNZ, Clerk
U.S. District Court
Eastern District of Pennsylvania

ORDER

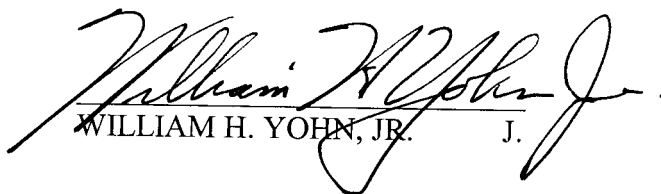
WILLIAM H. YOHN, Jr., J.

AND NOW, this 11th day of September, 2007, upon consideration of the plaintiff's Motion for Summary Judgment and Statement of Issues in Support of Request for Review (Doc. No. 10), defendant's Response to Plaintiff's Request for Review (Doc. No. 13), and after careful review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, *and no objections* **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**.
2. Plaintiff's Request for Review (Doc. No. 10) is **GRANTED IN PART AND DENIED IN PART**.
3. The decision of the Commissioner is **REVERSED**.
4. The case is **REMANDED** to the Commissioner in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with this opinion.

5. The Clerk is directed to enter **JUDGMENT IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANT** and to mark this case closed for statistical purposes.

BY THE COURT:


WILLIAM H. YOHN, JR. J.